

**REMARKS**

In the Office Action dated January 15, 2003, the Examiner indicated that claims 1-3 are allowed, that claims 16 and 17 were rejected under 35 U.S.C. S 112 because "then" should be "than"; and that claims 4-18 were rejected under 35 U.S.C. §§ 102(b) and 103(a). Applicant amended claim 16 to change the word "then" to "than". Applicant has amended Independent Claim 4, from which claims 5-18 depend, and added new claims 19-30. Support for the added new claims is found in Figures 1 and 2, and in the associated text in the specification. No new matter has been added.

Claim 4, as amended, is directed to the feature of the invention in which the hanger is configured to be mountable onto and removable from the hanger support and such hanger includes "at least one retainer disposed along the hanger intermediate the ends of the hanger for limiting sliding displacement of the ornaments along the hanger." In rejecting claim 4, the Examiner cited Berkowitz '451 and Berkowitz '764 as anticipating the claim. First, the Berkowitz patents are not analogous art. Neither Berkowitz patent is directed to a container for holding ornaments and neither Berkowitz patent addresses the problem of storing ornaments in a manner which prevents ornaments from sliding along the hanger and becoming entangled or dislodged and lost. See column 2, lines 23-30 of Applicants' patent. Indeed, Berkowitz '451 is directed to a hanger for hanging sheet-like fabrics on hooks and Berkowitz '764 is directed to a mothproof clothes closet. Neither reference is configured to, or intended to, store ornaments. While Berkowitz '764 discloses the use of a clothes hanger 25, the reference does not disclose "at least one retainer disposed along the hanger intermediate ends of the hanger for limiting sliding displacement of the ornaments along the hanger" as set forth in amended claim 4. Likewise, while Berkowitz '451 discloses a hanger with hooks for holding sheet-like fabrics, Berkowitz '451 does not disclose at least one retainer disposed intermediate the ends of the hanger for limiting sliding displacement of ornaments along the hanger. Indeed, the fabric hanger in Berkowitz '451 is not configured to hang ornaments and does not include "at least one retainer disposed along the hanger intermediate ends of the hanger for limiting sliding displacement of the ornaments along the hanger" as set forth in Claim 4.

The cited Betts patent does not overcome the deficiency of the Berkowitz disclosures. Indeed, the Betts patent is even more clearly not analogous art. The Betts is directed to a laboratory drying rack system that has nothing to do with an ornament storage case. Further, there is no teaching or suggestion in the Berkowitz patents or the Betts patent that such references could be combined in the manner suggested by the Examiner. Indeed, Applicants

submit that there would be no motivation to combine a stationary wall rack of Betts, which is bolted to a wall by bolts 48 as shown in Fig. 3, with a clothes closet of Berkowitz '764 or a fabric hanger of Berkowitz '451.

Finally, even if a proper combination of Berkowitz '451 and Betts could be effected, there is still no teaching of the use of a hanger having at least one retainer disposed along the hanger intermediate the ends of the hanger for limiting sliding displacement of the ornament along the hanger as set forth in Claim 4.

Dependent claims 5-19 (claim 19 is new) are patentable for at least the same reasons as identified in Claim 4. These claims are patentable for additional reasons as well. For example, claim 9 relates to the feature in which the hanger includes a support bar and the at least one retainer includes a plurality of ridges spaced therealong. In the action, the Examiner stated that Berkowitz '451 discloses a hanger having securing units 19 defined openings spaced along the hanger which are considered by the Examiner to be equivalent to ridges. Simply stated, hooks are not ridges. The hooks do not function as ridges. Furthermore, the hooks are positioned only at the very ends of the hanger and not along the hanger intermediate the ends of the hanger as claimed by Applicants. Further, the hooks do not prevent ornaments from sliding along the bar. Indeed, the ornaments theoretically would not even be hung along the bar but only on the hooks at the ends of the bar.

Dependent claim 13 relates to the feature in which the hanger support comprises a hook. The Examiner's citation of Betts is therefore misdirected. The hooks in Betts are on the hanger itself and are not on the hanger support as claimed by Applicants.

Finally, the references cited by the Examiner do not teach or suggest the subject matter in added claims 19-30. For instance, none of the cited references teach or suggest an ornament hanger comprising a support bar removably mountable inside the container having a plurality of retainers spaced along the support bar to limit sliding displacement of ornaments along the support bar and to maintain a distribution of ornaments along the length of the support bar. These and other features of claims 19-32 are absent from the disclosures in the cited references.

Therefore, Applicant respectfully requests that the Examiner give favorable consideration of the amended and added claims and pass this case to reissue.

Respectfully submitted,



Donald R. Piper, Jr.  
PTO Reg. No. 29,337

DANN DORFMAN HERRELL & SKILLMAN  
A Professional Corporation  
1601 Market Street, Suite 720  
Philadelphia, PA 19103-2307

Telephone: (215) 563-4100  
Facsimile: (215) 563-4044